

Atty. Docket #: 1998/F-085

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INTERNATIONAL APPL. NO.: PCT/EP99/04642 :
INTERNATIONAL FILING DATE: -07/03/1999- :
APPLICANT: DIETHER RUEPPEL ET AL :
SERIAL NO: : **ART UNIT:**
FILED: -HEREWITH- : **EXAMINER:**
FOR: "MICROPARTICLES PRODUCED FROM :
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ACTIVE-SUBSTANCE RELEASE" :

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

"Express Mail" No.: EE617838700

Date: -JANUARY 26, 2001-

I hereby certify that this paper, along with any other paper or fee referred to in this paper as being transmitted herewith, is being deposited with the United States Postal Service "Express Mail Post Office t Addressee" service under 37 CFR 1.10, postage prepaid, on the date indicated above, addressed to the Asst. Comm. for Patents, Washington, D.C. 20231

-Carrie A. McPherson-

(Typed or printed name of mailing paper or fee)

Carrie A. McPherson
(Signature of person mailing paper)

TRANSMITTAL OF APPLICATION PAPERS
TO U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. §371.
(37 CFR 1.494 OR 1.495)

This Transmittal Letter is based upon PTO Form 1390 (as revised in May, 1993).

The above-identified applicant(s) (jointly with their assignee) have filed an International Application under the P.C.T. and hereby submit(s) to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

500 Rec'd PCT/PTO 2 6 JAN 2001

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. §371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. §371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay.
4. ☒ A proper Demand for International Preliminary Examination (IPE) was made to the appropriate Authority (IPEA) within the time period required.
5. ☒ A copy of the International Application as filed (35 U.S.C. §371(c)(2)) --
 - a. ☒ is transmitted herewith (required when not transmitted by International Bureau). See WIPO Publication WO 00/06296.
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A (verified) translation of the International Application into the English language is enclosed -with- Three (3) Sheets of Drawings.
7. ☐ Amendments to the (specification and) claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
 - e. ☐ will be submitted with the appropriate surcharge.
8. ☐ A translation of the amendments to the claims (and/or the specification) under PCT Article 19 (35 U.S.C. §371(c)(3)) is enclosed or will be submitted with the appropriate surcharge.

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9. ☒ An oath or declaration/power of attorney of the inventor(s) (35 U.S.C. §371(c)[4]) will follow.
☐ and is attached to the translation of (or a copy of) the International Application.
☐ and is attached to the substitute specification.

10. ☐ A translation of at least the Annexes to the IPE Report under PCT Article 36 (35 U.S.C. §371(c)[5]) is enclosed.

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98 is enclosed.
12. ☒ An Assignment for recording and a separate cover sheet in compliance with 37 CFR 3.28 and 3.31 will follow.
13. ☒ A FIRST preliminary amendment is enclosed.
A SECOND or SUBSEQUENT preliminary amendment is enclosed.
14. ☐ A substitute specification (including claims, abstract, drawing) is enclosed.
15. ☐ A change of power of attorney and/or address letter is enclosed.
16. ☒ Other items of information:

- ☒ This application is being filed pursuant to 37 CFR 1.494(c) or 1.495(c), and any missing parts will be filed before expiration of--

☐ 22 months from the priority date under 37 CFR 1.494(c), or

☒ 32 months from the priority date under 37 CFR 1.495(c).

- ☒ The undersigned attorney is authorized by the International applicant and by the inventors to enter the National Phase pursuant to 37 CFR 1.494(c) or 1.495(c).

The following additional information relates to the International Application:

International Application No. PCT/EP99/04642.

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- ☒ Receiving Office: EPO
- ☒ IPEA (if filing under 37 CFR 1.495): EPO
- ☒ Priority Claim(s) (35 USC §§ 119, 365):
German Appln. 198 34 025.7 filed July 28, 1998.
- ☒ A copy of the International Search Report is
 - ☐ enclosed.
 - ☒ attached to the copy of the International Application.
- ☒ A copy of the Receiving Office Request Form is enclosed.
- ☒ Form PCT/IB/308 - 1 sheet
- ☒ Amended Patent Claims (2) sheets
German and English
- ☒ Form PTO/SB/05 - 1 sheet

The fee calculation is set forth on the next page of this Transmittal Letter.

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FEE CALCULATION SHEET

☒ A check in payment of the filing fee, calculated as follows, is attached (37 CFR 1.492).

Basic Fee..... \$ 860.00

Total Number of claims in
excess of (20) times \$18..... -0-

Number of independent claims
in excess of (3) times \$80..... -0-

Fee for multiple dependent
claims \$270..... -0-

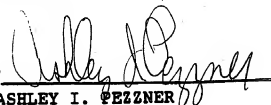
TOTAL FILING FEE... \$ 860.00

Kindly send us the official filing receipt.

The Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to Deposit Account No. 03-2775. This is a "general authorization" under 37 CFR 1.25(b), except that no automatic debit of the issue upon allowance is authorized. An additional copy of this page is attached.

Respectfully submitted,

By


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AIP/ des.

Enclosures

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. 1998/F-085
First Inventor or Application Identifier D. RUEPPEL ET AL.
Title MICROPARTICLES PRODUCED FROM...
Express Mail Label No. EFG17838700

APPLICATION ELEMENTS		ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231	
See MPEP chapter 600 concerning utility patent application contents.			
1. <input checked="" type="checkbox"/> * Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)			
2. <input checked="" type="checkbox"/> Specification [Total Pages 20] (preferred arrangement set forth below)			
<ul style="list-style-type: none"> - Descriptive title of the invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to Microfiche Appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure 			
3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 03]			
4. Oath or Declaration [Total Pages]			
<ul style="list-style-type: none"> a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d)) (for continuation/divisional with Box 16 completed) i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b). 			
<p>NOTE: FOR ENTITIES TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED BY 37 C.F.R. § 1.63(b)(1) IF ONE FILED IN A PRIOR APPLICATION IS REPLIED UPON BY 37 C.F.R. § 1.63(b).</p>			
16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No. _____ Prior application information: Examiner _____ Group / Art Unit: _____ For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.			
17. CORRESPONDENCE ADDRESS			
<input type="checkbox"/> Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) or <input checked="" type="checkbox"/> Correspondence address below			
Name	Ashley I. Pezzner, Esquire		
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Name (Print/Type)	ASHLEY I. PEZZNER		Registration No. (Attorney/Agent)
Signature	Ashley I. Pezzner		Date
			01/26/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.